

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**FILED**

APR 02 2007

CLERK'S OFFICE  
U. S. DISTRICT COURT  
EASTERN MICHIGAN

ELIZA WESTBROOK,

Plaintiff,

v.

Case No. 06-13703

Hon. Anna Diggs Taylor

Magistrate Judge Virginia Morgan

ALLSTATE INSURANCE  
COMPANY, an Illinois Corp.,

Defendant.

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**ORDER ACCEPTING MAGISTRATE'S REPORT AND RECOMMENDATION**

This matter is before the court on Magistrate Judge Virginia M. Morgan's Report and Recommendation of March 13, 2007, granting Defendant's motion seeking dismissal of Plaintiff's complaint pursuant to FED. R CIV. P. 12(b)(6) for failure to state a claim on which relief may be granted, denying Plaintiff's Motion to Extend Time and dismissing the case with prejudice and without costs.

The court has reviewed the file, the Magistrate Judge's Report and Recommendation. No objections to the Magistrate Judge's Report and Recommendation were filed. The court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

THEREFORE, the court will accept the Magistrate's Report and Recommendation of March 13, 2007 as the findings and conclusions of this court.

Accordingly,

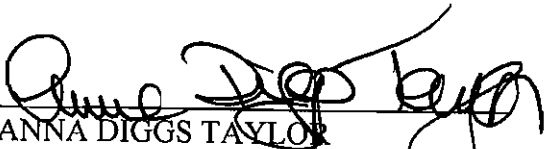
IT IS HEREBY ORDERED that Magistrate Morgan's Report and Recommendation of March 13, 2007 is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Defendant's motion seeking dismissal of Plaintiff's complaint pursuant to FED. R CIV. P. 12(b)(6) for failure to state a claim on which relief may be granted is **GRANTED** [Doc. #13] and Plaintiff's Motion for Extension of Time is **DENIED** [Doc. #14] for the reasons stated in Magistrate's Report and Recommendation.

IT IS FURTHER ORDERED that the case is dismissed with prejudice and without costs for the reasons stated in Magistrate's Report and Recommendation.

IT IS SO ORDERED.

DATED: April 2, 2007

  
ANNA DIGGS TAYLOR  
UNITED STATES DISTRICT JUDGE

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail (Eliza Westbrook, 19965 San Juan Dr., Detroit, MI 48221) disclosed on the Notice of Electronic Filing on April 2, 2007.

s/Johnetta M. Curry-Williams  
Case Manager